1960 No. 212

The Family Allowances, National Insurance and Industrial Injuries (Finland) Order, 1960

Made - - - - 8th February, 1960

At the Court at Buckingham Palace, the 8th day of February, 1960

Present,

The Queen's Most Excellent Majesty in Council

Whereas at Helsinki on the twenty-eighth day of July, nineteen hundred and fifty-nine, a Convention between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Finland on social security (which Convention is set out in the Schedule to this Order and is hereinafter referred to as " the Convention ") was signed on behalf of those Governments:

And Whereas by Article 33 of the Convention it is provided that the Convention shall enter into force on the first day of the second month following the month in which the instruments of ratification are exchanged:

And Whereas the Convention has been ratified by the said Governments and the instruments of ratification were exchanged on the twenty-ninth day of January, 1960, and accordingly the Convention enters into force on the first day of March, 1960:

And Whereas by section 64 of the National Insurance Act, 1946(**a**), (as extended by subsection (1) of section 4 of the Family Allowances and National Insurance Act, 1956(**b**)) and section 85 of the National Insurance (Industrial Injuries) Act, 1946(**c**), it is provided that Her Majesty may, by Order in Council, make provision for modifying or adapting the Family Allowances Act, 1945(**d**), and the said Acts of 1946 in their application to cases affected by agreements with other governments providing for reciprocity in matters specified in those sections:

Now, therefore, Her Majesty, in pursuance of the said section 64 of the National Insurance Act, 1946 (as so extended) and the said section 85 of the National Insurance (Industrial Injuries) Act, 1946, and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation and interpretation

1.—(1) This Order may be cited as the Family Allowances, National Insurance and Industrial Injuries (Finland) Order, 1960.

(2) The Interpretation Act, 1889(**e**), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(**a**) 9 & 10 Geo. 6. c. 67. (**b**) 4 & 5 Eliz. 2. c. 50. (**c**) 9 & 10 Geo. 6. c. 62.
(**d**) 8 & 9 Geo. 6. c. 41. (**e**) 52 & 53 Vict. c. 63.

Modification of Acts

2. The provisions contained in the Convention shall have full force and effect, so far as the same relate to England, Wales and Scotland and provide by way of agreement with the Government of Finland for reciprocity in any matters specified in either subsection (1) of section 64 of the National Insurance Act, 1946 (as extended by subsection (1) of section 4 of the Family Allowances and National Insurance Act, 1956) or subsection (1) of section 85 of the National Insurance (Industrial Injuries) Act, 1946; and the Family Allowances Acts, 1945 to 1959, the National Insurance Acts, 1946 to 1959, and the National Insurance (Industrial Injuries) Acts, 1946 to 1959, shall have effect subject to such modifications as may be required therein for the purpose of giving effect to any such provisions.

W. G. Agnew.

SCHEDULE

CONVENTION ON SOCIAL SECURITY BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND FINLAND

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Finland,

Being resolved to co-operate in the social field,

Affirming the principle that the nationals of one of the two countries should, as far as possible, receive, under the social security legislation of the other, equal treatment with the nationals of the latter,

Desirous of giving effect to this principle and of making arrangements enabling their nationals, while they are in one country, either to keep any rights which they have acquired under the legislation of the other country or to enjoy corresponding rights under the legislation of the former country,

Have agreed as follows:—

PART I

Definitions and Scope

ARTICLE 1

For the purpose of the present Convention, unless the context otherwise requires—

(*a*) "country" means, according to the context, the United Kingdom or Finland;

(*b*) "United Kingdom" means England, Scotland, Wales, Northern Ireland and the Isle of Man;

(*c*) "national" means, in relation to the United Kingdom, a citizen of the United Kingdom and Colonies, and, in relation to Finland, a Finnish citizen;

(*d*) "legislation" means, according to the context, the laws and regulations specified in Article 2 in force in any part of one (or the other) country;

(*e*) "competent authority" means, in relation to the United Kingdom, the Minister of Pensions and National Insurance, the Ministry of Labour and National Insurance for Northern Ireland or the Isle of Man Board of Social Services, as the case may require, and, in relation to Finland, the Ministry for Social Affairs or any authority appointed by it for the purpose of the present Convention;

(*f*) "child" means, in relation to any person, a child, within the meaning of the legislation which is being applied, who is treated under that legislation as being a child of that person or included in his family;

(*g*) "parent" includes a person who is treated as a parent under the legislation which is being applied;

(*h*) "dependant" means a person who is treated as such under the legislation which is being applied;

(*i*) " employed person " means a person who comes within the definition of an employed person (or a person who is treated as an employed person) in the legislation which is being applied ; " employment " means employment as an employed person, and the words " employ " and " employer " refer to such employment ;

(*j*) " benefit " means any pension, allowance or other cash benefit payable under the legislation of one (or the other) country and includes any additional allowance payable therewith and any increase payable for a dependant ;

(*k*) " old age pension " means, in relation to the United Kingdom, a retirement pension or contributory old age pension, as defined by the legislation of the United Kingdom ;

(*l*) " vessel " or " aircraft " means, in relation to the United Kingdom, a ship or vessel, registered in the United Kingdom, or any other ship or vessel defined as British for the purpose of the legislation of the United Kingdom, of which the owner (or managing owner, if there is more than one owner) or manager is resident in, or has his principal place of business in, the United Kingdom, or an aircraft registered in the United Kingdom, of which the owner (or managing owner if there is more than one owner), is resident in, or has his principal place of business in, the United Kingdom, and, in relation to Finland, a ship or aircraft of which the place of registration is in Finland.

ARTICLE 2

(1) The provisions of the present Convention shall apply—

(*a*) in relation to the United Kingdom, to

(i) the National Insurance Act, 1946, the National Insurance Act (Northern Ireland), 1946, the National Insurance (Isle of Man) Act, 1948, and the legislation in force before the 5th of July, 1948, which was replaced by those Acts ;

(ii) the National Insurance (Industrial Injuries) Act, 1946, the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, and the National Insurance (Industrial Injuries) (Isle of Man) Act, 1948 ;

(iii) those provisions of the National Assistance Act, 1948, and the National Assistance Act (Northern Ireland), 1948, which concern the giving of assistance to persons who are in need of assistance ;

(iv) those provisions of the National Assistance Act, 1948, and the Welfare Services Act (Northern Ireland), 1949, which concern arrangements for the welfare (other than employment) of persons who are blind, deaf or dumb, and other persons who are substantially and permanently handicapped by illness, injury or congenital deformity ;

(v) the Family Allowances Act, 1945, the Family Allowances Act (Northern Ireland), 1945, and the Family Allowances (Isle of Man) Act, 1946 ;

(*b*) in relation to Finland, to those provisions of the laws and regulations of Finland which concern—

(i) assistance for disabled persons (Disabled Persons Assistance Act, 1946) ;

(ii) allowances for disabled persons (Disabled Persons Allowances Act, 1951) ;

(iii) maternity assistance (Communal Midwives Act, 1944) ;

(iv) advice, guidance and assistance given in communual maternity and child-care guidance centres (Communal Maternity and Child-care Guidance Centres Act, 1944) ;

(v) maternity allowances in cash and/or kind (Maternity Allowances Act, 1941) ;

(vi) assistance from Government-supported unemployment funds (Unemployment Funds Act, 1934) ;

(vii) old age pensions, old age support benefit, invalidity pensions and burial allowances (National Pensions Act, 1956);

(viii) medical care, vocational rehabilitation and employment assistance of invalids (Section 34 of the National Pensions Act, 1956);

(ix) children's allowances (Children's Allowances Act, 1948);

(x) family allowances (Family Allowances Act, 1943);

(xi) benefits in respect of accidents and industrial diseases (Accident Insurance Act, 1948, decree of 1948 on compensation for accidents happening to students, decree of 1948 on compensation for accidents treated as industrial accidents, Industrial Diseases Act, 1939, Accidents (Voluntary Work) Act, 1942, Accidents (Rescue Work) Act, 1935, section 47 of the Fires Act, 1933, Accidents (Penal and Welfare Institutions) Act, 1946, War Injuries (Mariners) Act, 1939, War Invalids Acts, 1948, 1953 and 1956;

(xii) welfare assistance (Welfare Assistance Act, 1956).

(2) Subject to the provisions of paragraph (3) of this Article, the Convention shall apply also to any law or regulation which amends, supplements or consolidates the legislation specified in paragraph (1) of this Article.

(3) The Convention shall apply, only if the Contracting Parties so agree, to any law or regulation which amends or supplements the legislation specified in paragraph (1) of this Article for the purpose of giving effect to any reciprocal agreement on social security which one (or the other) Party has made with a third party.

PART II

General Provisions

ARTICLE 3

Subject to the provisions of the present Convention, a national of one of the Contracting Parties shall be subject to the obligations, and entitled to enjoy the advantages, of the legislation of the other country under the same conditions as a national of the latter country.

ARTICLE 4

(1) If a national of either country, not ordinarily resident in Finland, is employed in that country by an employer who is resident in the United Kingdom or has his principal place of business there, then, during the first twelve months of his employment in Finland—

(*a*) those provisions of the legislation of the United Kingdom which concern the payment of contributions shall apply to him as if he were employed in that country; and

(*b*) the corresponding provisions of the legislation of Finland shall not apply to him.

(2) If a national of either country, who is resident in Finland, is employed in the United Kingdom by an employer who has a place of business in Finland, then, during the first twelve months of his employment in the United Kingdom—

(*a*) the legislation of Finland specified in sub-paragraphs (*b*) (v) and (*b*) (vii)-(xi) of paragraph (1) of Article 2 shall apply to him; and

(*b*) the legislation of the United Kingdom shall not apply to his employment.

(3) Where the employment specified in paragraph (1) or paragraph (2), as the case may be, lasts longer than twelve months, the provisions of that paragraph shall continue to apply to the employed person, if the competent authority of the country where he is employed agrees thereto before the end of the period of twelve months specified in that paragraph.

ARTICLE 5

(1) Subject to the provisions of paragraphs (2) and (3)—

(*a*) the legislation of Finland concerning industrial injuries insurance shall apply to a national of the United Kingdom who is employed on board a vessel of Finland, or to a national of the United Kingdom, resident in Finland, who is employed on board an aircraft of Finland;

(*b*) the legislation of the United Kingdom concerning industrial injuries insurance shall apply to a national of either country, resident in Finland, who is employed on board a vessel or aircraft of the United Kingdom.

(2) If a vessel of one country is in a harbour of the other country or in the territorial waters of the latter country, and a national of either country, resident in the latter country, is employed on board the vessel, otherwise than as master or a member of the crew, having been engaged for this employment in the latter country, the legislation of the latter country shall apply to him as if he were employed in that country.

(3) Where a national of either country, who is resident in one country, is employed on board a vessel or aircraft of the other country, and is paid remuneration in respect of that employment by some person or undertaking having a place of business in the former country and not being the owner of the vessel or aircraft, the legislation of the former country shall, in respect of that employment, apply to him as if the vessel or aircraft were a vessel or aircraft of the former country, and the person or undertaking paying the said remuneration shall be treated as the employer for the purposes of the said legislation.

ARTICLE 6

(1) The present Convention shall not apply to established members of the Foreign Service of the United Kingdom.

(2) Subject to the provisions of paragraph (1) of this Article, where a national of the United Kingdom is employed in Finland in the government service of the United Kingdom and is not permanently settled in Finland, those provisions of the legislation of the United Kingdom which concern the payment of contributions shall apply to him as if he were employed in the United Kingdom, and the corresponding provisions of the legislation of Finland shall not apply to him.

(3) Where a national of Finland is employed in the United Kingdom in the Government service of Finland, or is in the private service of a national of Finland so employed, the legislation of Finland specified in sub-paragraphs (*b*) (v) and (*b*) (vii)-(xi) of paragraph (1) of Article 2 shall apply to him, and the legislation of the United Kingdom shall not apply to his employment; provided that the provisions of this paragraph shall not apply to an honorary consul or to anyone who is in the service of an honorary consul and remunerated by him.

(4) Subject to the provisions of paragraphs (1), (2) and (3) of this Article, where a national of either country is employed in one country in the government service of the other country, or any person is in the private service of a national of either country so employed, the legislation of the country in which he is employed shall apply to him and, for this purpose, he shall be treated as if he were resident in that country.

ARTICLE 7

Where a national of either country is employed in Finland, and those provisions of the legislation of the United Kingdom which concern the payment of contributions apply to him in accordance with the provisions of paragraph (1) of Article 4 or paragraph (2) of Article 6—

(*a*) for the purpose of any claim to receive sickness benefit under that legislation, he shall be treated as if he were in the United Kingdom, and, if his wife is in Finland, as if she were in the United Kingdom;

(*b*) for the purpose of any claim to receive benefit under that legislation for an industrial accident occurring or an industrial disease contracted, during his employment in Finland, he shall be treated as if that employment were insurable and as if the accident had occurred or the disease had been contracted in the United Kingdom, and, if his wife is in Finland, as if she were in the United Kingdom;

(*c*) for the purpose of any claim, made by the national or the national's wife, to receive a maternity grant or maternity allowance under that legislation, she shall be treated, while she is in Finland, as if she were in the United Kingdom.

ARTICLE 8

The competent authorities of the two countries may agree to modify the provisions of Articles 4, 5 and 6 in relation to particular persons or classes of persons.

PART III

Benefit

ARTICLE 9

Maternity Benefit

(1) Where a woman, being a national of either country, who has been resident in Finland, is confined in the United Kingdom, and has received no maternity grant in respect of her confinement under the legislation of Finland, and she or her husband is liable to pay contributions under the legislation of the United Kingdom, she shall be treated, for the purpose of a claim to receive a maternity grant or home confinement grant under that legislation, as if she or her husband had paid a contribution under that legislation for every week during which she or he, as the case may be, was resident in Finland.

(2) A woman, being a national of the United Kingdom, who is confined in Finland and has not received a maternity grant in respect of her confinement under the legislation of the United Kingdom, shall be entitled, under the legislation of Finland, to receive a maternity grant and maternity assistance under the same conditions as a woman who is a national of Finland.

(3) The provisions of paragraph (2) of this Article shall not apply to a woman who is entitled to receive a maternity grant or maternity allowance by virtue of the provisions of Article 7.

(4) Where a woman, being a national of either country, who is ordinarily resident in one country, is confined during a temporary visit to the other country, she shall be entitled to receive, under the legislation of the former country, any maternity grant which she would have been entitled to receive if she had been confined in that country.

ARTICLE 10

Unemployment Benefit

(1) Where a national of either country claims unemployment benefit under the legislation of the United Kingdom, he shall be treated as if—

(*a*) he had paid a contribution as an employed person under that legislation for every week for which he has paid a contribution to a Finnish unemployment fund;

(*b*) he had had a contribution so credited to him for every week during which he was a member of a Finnish unemployment fund and prevented by illness or unemployment from being employed;

(*c*) he satisfied the contribution conditions for receiving unemployment benefit under the legislation of the United Kingdom throughout the first six months after the time when he was last in Finland, if at that time he would have been entitled, had he been unemployed and available for work, to receive benefit from a Finnish unemployment fund;

(*d*) he had been resident in the United Kingdom during any period during which he was resident in Finland.

(2) The Government of Finland undertake to advise the Finnish competent authority and the Finnish unemployment insurance funds that, where a national of either country belongs to an unemployment insurance fund, any contributions which he has paid as an employed person under the legislation of the United Kingdom shall be treated as if they were contributions which he had paid to that fund.

ARTICLE 11

Old Age Pensions

(1) For the purpose of any claim to receive an old age pension under the legislation of the United Kingdom, a national of either country, who has lived in the United Kingdom continuously for at least five years immediately before the date of the claim, shall be treated as if he, or, in the case of a claim made by a married woman or widow by virtue of her husband's insurance, her husband, had paid a contribution under that legislation for every week during which he was resident in Finland.

(2) Where the national claiming an old age pension is a married woman claiming by virtue of her own insurance, the provisions of paragraph (1) of this Article shall not apply to her unless she has, since the date of her marriage, paid one hundred and fifty-six contributions under the legislation of the United Kingdom.

(3) Where the national claiming an old age pension under the legislation of the United Kingdom is a woman—

(*a*) whose marriage has been terminated by the death of her husband or otherwise;

(*b*) who has lived in the United Kingdom continuously for at least five years immediately before the date of the claim; and

(*c*) who claims a pension by virtue of her own insurance and has chosen to have her husband's contributions taken into account;

she shall be treated as if she or her husband had paid a contribution under that legislation for every week during which she or he, as the case may be, was resident in Finland.

(4) A national of the United Kingdom shall, for the purpose of any claim to receive an old age pension or an old age support benefit under the legislation of Finland, be treated as if he were a national of Finland, provided that, immediately before the date of his claim—

(*a*) he has lived in Finland continuously for at least five years, or

(*b*) he was receiving, under the legislation of Finland, an invalidity pension.

ARTICLE 12

Benefit for Invalids

(1) Where a national of either country has, since his last arrival in the United Kingdom, paid at least fifty-two contributions as an employed or self-employed person under the legislation of that country, and has, since that arrival, received sickness benefit under that legislation for three hundred and twelve days in any period of interruption of employment as defined by that legislation, he shall, for the purpose of any claim to receive further sickness benefit, be treated as if he had so paid a contribution for every week during which he was resident in Finland and gainfully occupied.

(2) For the purpose of any claim to receive an invalidity pension under the legislation of Finland, a national of the United Kingdom shall be treated as if he were a national of Finland if—

(*a*) he has lived in that country continuously for a period of at least one year immediately before the date of the claim, and during that period has been capable of carrying on a gainful occupation for at least one year; or

(*b*) he has lived in that country continuously for at least five years immediately before the date of the claim.

ARTICLE 13

Widow's Benefit

(1) For the purpose of any claim to receive widow's benefit under the legislation of the United Kingdom, a woman, being a national of either country, shall, if—

(*a*) her husband had lived in the United Kingdom continuously for at least five years immediately before his death, or

(*b*) she has lived there continuously for at least five years immediately before the date of her claim,

be treated as if her husband had paid a contribution under that legislation for every week during which he was resident in Finland.

(2) Where a woman would be entitled to receive widow's benefit under the legislation of the United Kingdom if her child were in that country, she shall be entitled to receive that benefit if the child is in Finland.

(3) A national of the United Kingdom, being a widow whose husband was ordinarily resident in Finland immediately before his death, shall be treated as if she were a national of Finland for the purpose of any claim to receive, under the legislation of Finland, the family allowances which are payable to widows, a burial allowance, welfare assistance or any other benefit payable to widows.

ARTICLE 14

Family Allowances, Children's Allowances and Guardians' Allowances

(1) For the purpose of any claim to receive a family allowance under the legislation of the United Kingdom—

(*a*) a national of Finland shall be treated as if he were a national of the United Kingdom;

(*b*) a national of either country whose place of birth is in Finland shall be treated as if it were in the United Kingdom.

(2) For the purpose of any claim to receive a children's allowance under the legislation of Finland, a national of the United Kingdom, being a child who is resident in Finland, shall be treated as if he were a national of Finland.

(3) The provisions of paragraph (2) of this Article shall apply, at the discretion of the competent authority of Finland, only to a child who is maintained by a person who is resident in Finland and civilly registered there.

(4) For the purpose of any claim to receive a family allowance under the legislation of Finland, a national of the United Kingdom being a child who is resident in Finland, shall be treated as if he were a national of Finland.

(5) For the purpose of any claim to receive a guardian's allowance under the legislation of the United Kingdom, a child, being a national of either country, shall, if one of his parents was resident in Finland, be treated as if that parent had been insured under the legislation of the United Kingdom.

ARTICLE 15

Industrial Injuries and Diseases

Where, under the legislation of one country concerning industrial injuries insurance, a national of either country would be entitled to receive any benefit if he were in that country, he shall be entitled to receive that benefit while he is in the other country.

ARTICLE 16

Where a national of either country has contracted an industrial disease and has been employed in both countries in occupations involving the risk of that disease, he shall, subject to the provisions of Article 7, be treated, for the purpose of any claim to receive benefit for that disease under the legislation of the country in which he was last so employed, as if he had been so employed only in that country.

ARTICLE 17

National Assistance

For the purpose of applying any provision of the legislation specified in sub-paragraph (*a*) (iii) and (*a*) (iv) of paragraph (1) of Article 2, a national of either country shall be treated as if he had been resident in the United Kingdom during any period during which he was resident in Finland.

ARTICLE 18

Meaning of "Resident"

For the purpose of applying the provisions of paragraph (1) of each of the Articles 9, 11, 12, and 13 and paragraph (5) of Article 14, no account shall be taken of any period during which a person was resident in Finland—

(*a*) before he reached the age of fifteen years;

(*b*) after he has reached, or is deemed to have reached, pensionable age as defined in his case under the legislation of the United Kingdom; or

(*c*) in the course of his employment as an established member of the Foreign Service of the United Kingdom.

ARTICLE 19

Meaning of "Live continuously"

For the purpose of applying the provisions of the present Convention, a person shall be deemed to have lived continuously in one (or the other) country during any period, if he has not been absent from that country during that period except—

(*a*) in the case of paragraphs (1) and (3) of Article 11, sub-paragraph (*b*) of paragraph (2) of Article 12 and paragraph (1) of Article 13, for any period not exceeding four months;

(*b*) in the case of sub-paragraph (*a*) of paragraph (2) of Article 12, for any period not exceeding one month;

(*c*) for other periods, if the competent authority of that country is satisfied, having regard to the duration of his residence in that country and the reasons for his absence from it, that those periods should be ignored;

but, in calculating the duration of any period during which he has lived continuously in that country, no account shall be taken of any period during which he was absent from it.

ARTICLE 20

Absence from the United Kingdom

A person shall not be qualified, by virtue of the provisions of any of the Articles 11 and 13 to receive benefit under the legislation of the United Kingdom, for any period of absence from the United Kingdom, unless during that period he remains resident in the United Kingdom.

ARTICLE 21

Old Age Pension of one Country payable in the other Country

(1) Subject to the provisions of Article 22, a national of either country, who would be entitled to receive an old age pension under the legislation of one country if he were in that country, shall be entitled to receive that pension while he is in the other country.

(2) Where a pension is payable under the legislation of the United Kingdom in accordance with the provisions of paragraph (1) of this Article to a person who is not resident in the United Kingdom, the rate shall be determined under those provisions of that legislation which concern the payment of benefit to persons who are not resident in the United Kingdom.

(3) The provisions of this Article shall not apply to any old age pension which is payable wholly or partly by virtue of the provisions of Article 11.

ARTICLE 22

Duplicate old Age Pension

Where a national of either country is in one country, and is entitled to receive an old age pension under the legislation of that country, he or she shall be entitled to receive under the legislation of the other country only any amount by which the old age pension which he would, but for this Article have been entitled to receive under that legislation exceeds the pension which he is entitled to receive under the legislation of the former country.

ARTICLE 23

Claims made Independently of the Convention

Subject to the provisions of Article 22 any person claiming benefit under the legislation of either country may choose to have his claim determined without regard to the provisions of this Part of the present Convention.

PART IV

Miscellaneous Provisions

ARTICLE 24

The competent authorities—

(i) shall make such administrative arrangements as may be required for the application of the present Convention ;

(ii) shall communicate to each other information regarding any measure taken by them for the application of the Convention ;

(iii) shall communicate to each other, as soon as possible, information regarding any changes made under their national legislation which affect the application of the Convention ;

(iv) shall furnish assistance to one another with regard to any matter relating to the application of the Convention.

ARTICLE 25

Where, under the provisions of the present Convention, any benefit is payable by an authority of one country to a person who is in the other country, the payment may at the request of that authority, be made by an authority of the latter country as agent for the authority of the former country.

ARTICLE 26

No benefit paid under the legislation of one country by virtue of the present Convention shall be reimbursed out of the funds of the other country.

ARTICLE 27

(1) Any exception from, or reduction of, legal dues, charges and fees provided for in the legislation of one country in connexion with the issue of any certificate or document required to be produced for the purpose of that legislation, shall be extended to certificates and documents required to be produced for the purposes of the legislation of the other country.

(2) Where any certificate or other document has to be produced to the competent authority of one (or the other) country for the purpose of applying the present Convention, that authority shall not require the certificate or other document to be legalised or authenticated.

ARTICLE 28

Any claim, notice or appeal which should, for the purposes of the legislation of one country, have been presented within a prescribed period to an authority of that country, but which is in fact presented within the same period to the corresponding authority of the other country, shall be treated as if it had been presented to the authority of the former country. In such a case, the authority of the latter country shall, as soon as possible, arrange for the claim, notice or appeal to be sent to the competent authority of the former country.

ARTICLE 29

The competent authorities of the two countries may, for the purpose of applying the present Convention, correspond directly with one another, or with any person who has claimed any benefit by virtue of the Convention, or with his legal representative.

ARTICLE 30

(1) The competent authorities of the two countries shall endeavour to resolve by negotiation any disagreement relating to the interpretation or application of the present Convention.

(2) If any such disagreement has not been resolved by negotiation within a period of three months, the disagreement shall be submitted to arbitration by an arbitral body, whose composition and procedure shall be agreed upon by the two Contracting Parties.

(3) The decision of the arbitral body shall be made in accordance with the principles and spirit of the present Convention and shall be final and binding.

ARTICLE 31

(1) No provision of the present Convention shall confer any right to receive any payment of benefit for a period before the date of the entry into force of the Convention.

(2) No provision of Part II of the Convention shall apply to any period during which a national of either country was employed before the date of the entry into force of the Convention.

(3) Subject to the provisions of paragraphs (1) and (2) of this Article, any benefit, other than a maternity grant or home confinement grant, shall be payable in accordance with the provisions of the Convention in respect of events which happened before the date of its entry into force; and such benefit shall be paid at the earliest as from that date, if the claim therefor is submitted within three months of that date.

(4) Any period during which a national of either country was living in one (or the other) country or resident there or civilly registered (henkikirjoi tettu) there or insured under the legislation of that country before the date of entry into force of the Convention shall be taken into account for the purpose of determining his right to benefit in accordance with the provisions of the Convention.

ARTICLE 32

In the event of the termination of the present Convention, any right acquired by a person in accordance with its provisions shall be maintained, and negotiations shall take place for the settlement of any rights then in course of acquisition by virtue of those provisions.

ARTICLE 33

The present Convention shall be ratified and the instruments of ratification shall be exchanged at London as soon as possible. The Convention shall enter into force on the first day of the second month following the month in which the instruments of ratification are exchanged.

ARTICLE 34

The present Convention shall remain in force for a period of one year from the date of its entry into force. Thereafter it shall continue in force from year to year unless it is denounced in writing three months before the expiry of any such yearly period.

In witness whereof the undersigned, duly authorised by their respective Governments, have signed the present Convention and affixed thereto their seals.

Done in duplicate at Helsinki this 28th day of July, 1959, in the English and Finnish languages, both texts being equally authoritative.

DOUGLAS L. BUSK RALF. TÖRNGREN

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport)

This Order gives effect in England, Wales and Scotland to the Convention (set out in the Schedule) made between the United Kingdom and Finland in so far as it relates to the matters for which provision is made by the Family Allowances Acts, 1945 to 1959, the National Insurance Acts, 1946 to 1959, and the National Insurance (Industrial Injuries) Acts, 1946 to 1959.